IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1463 OF 2003 IN

WRIT PETITION NO.6129 OF 2002,

alongwith

Writ Petition No.6129 of 2002

Umesh Gajanan Bhogaonkar, .. Applicant

Vs

1. Gajanan Shankarao Bhogaonkar

and ors. .. Respondents

Shri Dilip Taur, for Smt. Varsha Palav, for the applicant.

Mr S.G.Surana, for respondent no.1. - Absent.

CORAM : D.B.BHOSALE,J.

DATE : 28.11.2005.

PC:

1. Heard the learned counsel for the applicant.

2. By this civil application, the applicant has made the following prayer:-

"(b) The order dated 24.1.2003 at Exh.B herewith

vacating the ad-interim relief be recalled and set aside and the order dated 28.10.02 at Exh.A hereto be continued pending the hearing and final disposal of the aforesaid petition."

By order dated 24.1.2003, the ad-interim relief granted vide order dated 28.10.2002, was vacated. The order impugned in the instant writ petition was passed below Exhibit 146-A in S.C.S.No.93/91, by which summons was issued to the Assistant Commissioner, Investigation -1(2) for production of the documents seized in the raid dated 24.2.1993 from defendant no.1 and Shri Bhimrao Ramchandra Mahadik in relation to agreements of sale of CB No.227/1 and 227/5. From the very nature of the impugned order dated 24.1.2003 by which the order dated 28.10.2002 was recalled, it is clear that nothing further survives in the writ petition and in view thereof the writ petition is disposed of as infructuous. Consequently, the civil applications are also disposed of.

(D.B.Bhosale,J.)